IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8496 OF 2004.

Sarjerao Abasaheb Barge. ... Petitioner
Versus.
Smt.Chabutai Jotiram Sawant. ... Respondent.

Shri V.S.Talkute for the Petitioner.
Shri S.G.Surana for the Respondent No.1.

CORAM : ABHAY S. OKA, J.

DATED : 19th JANUARY, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties. The challenge in this petition under Article 227 of the Constitution of India is to the Judgment and Order dated 19th July 2004 passed by the learned Additional District Judge, Satara, pending an appeal under Order XLIII Rule 1 of the Code of Civil Procedure, 1908. During the pendency of this petition, the Appeal has been disposed of on merits. It is also stated before me that the original suit has been subsequently dismissed for default.

2. As the Appeal has been disposed of on merits, this petition cannot be entertained. However, the issue whether the Taluka Inspector of Land Records was the Officer competent to act under the order passed by this Court in Writ Petition No.235 of 2000 is kept open.

(Abhay S.Oka, J.)